

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

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U. S. DISTRICT COURT
MID. DIST. TENN.

ROBERT ZENAS WHIPPLE, III

Plaintiff,

v.

DERRICK SCHOFIELD, et al.

Defendants.

CASE NO. 1:13-cv-00109
CHIEF JUDGE HAYNES
JURY DEMAND

PLAINTIFF'S MOTION TO COMPEL DISCOVERY
DUE TO FAILURE TO RESPOND

ORDER
Guaranty
the parties'
statement in
open court
was
motion
is
DENIED
as
most
illegal
2-8-5-14

The plaintiff moves pursuant to Rule 37(a)(3)(B)(iii-iv)¹, *Federal Rules of Civil Procedure*, for an order compelling Defendants Kevin Rea, Otis Campbell, and Tim Hansche ("these defendants") to answer the interrogatories propounded on February 27, 2014 and produce for inspection and copying the documents requested on January 31, 2014; February 5, 2014; and February 28, 2014. As grounds for this motion, Plaintiff avers that neither these defendants nor their counsel has served a written response to any of these discovery requests (*see Exhibit A, ¶ 2-8-5-14* 8). The discovery requests these defendants have failed to respond to are:

1. *PLAINTIFF'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS*
2. *PLAINTIFF'S FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS*
3. *PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT KEVIN REA*
4. *PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT TIM HANSCH*

¹ (B) To Compel a Discovery Response. A party seeking discovery may move for an order compelling an answer, designation, production, or inspection. This motion may be made if:
(iii) a party fails to answer an interrogatory submitted under Rule 33; or
(iv) a party fails to respond that inspection will be permitted--or fails to permit inspection--as requested under Rule 34.